

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

DONALD GERARD DOUGLAS

CIVIL ACTION

VERSUS

NO. 24-2860

TENSAS PARISH DETENTION CENTER

SECTION "O"

ORDER

Before the Court in this 42 U.S.C. § 1983 action brought by *pro se* Plaintiff Donald Gerard Douglas is the report and recommendation¹ of United States Magistrate Judge Karen Wells Roby. Douglas sues the Tensas Parish Detention Center under Section 1983; he challenges the conditions of his prior confinement there.² The Tensas Parish Detention Center is in Tensas Parish, which is within the Western District of Louisiana. 28 U.S.C. § 98(c). Magistrate Judge Roby recommends that the Court transfer this case to the United States District Court for the Western District of Louisiana under 28 U.S.C. § 1406(a) because venue is improper here but proper in the Western District of Louisiana, and transfer to the Western District of Louisiana is “in the interest of justice.”³ 28 U.S.C. § 1406(a). No party objected.

¹ ECF No. 5.

² ECF No. 1.

³ ECF No. 5 at 1–3. Transfer is governed by Section 1406(a) because Douglas filed this case in an improper venue. See 14D CHARLES A. WRIGHT, ET AL., FEDERAL PRACTICE AND PROCEDURE § 3803.1 (3d ed.) (explaining that Section 1406(a) applies when “the venue chosen by the plaintiff is improper,” whereas Section 1404(a) applies “[i]f the original federal forum is a proper venue”).

Having considered Douglas's complaint,⁴ the relevant law, Magistrate Judge Roby's report and recommendation,⁵ and the failure of any party to object to that report and recommendation, the Court approves the report and recommendation and adopts the report and recommendation as the Court's opinion.

Accordingly,

IT IS ORDERED that this case is **TRANSFERRED** to the United States District Court for the Western District of Louisiana under 28 U.S.C. § 1406(a).

New Orleans, Louisiana, this 21st day of February, 2025.



BRANDON S. LONG
UNITED STATES DISTRICT JUDGE

⁴ ECF No. 1.

⁵ ECF No. 5.